

those provisions to the extent necessary to permit the waiver, modification and reinstatement of the sales load as described in this paragraph.

5. Applicants assert that the purpose of the proposed waiver of Sales Charge after the twentieth Policy year is to more closely reflect NEVLICO's expenses in connection with Policy sales. To the extent that NEVLICO determines that the full 4% Sales Charge on premiums made after the twentieth Policy year could generate more revenue than NEVLICO believes necessary, it may waive the charge. Applicants submit that it would not be in the interest of owners to require the imposition of a Sales Charge on premiums paid after the twentieth Policy year that is higher than Applicants deem necessary. Applicants assert that the policies and purposes of Section 27(a)(3) and Rule 6e-3(T)(b)(13)(ii) do not require such a result.

6. Section 27(e) of the Act and Rules 27e-1 and 6e-3(T)(b)(13)(vii), in effect, require a notice of right of withdrawal and refund, on Form N-271-1, to be provided to Policy owners entitled to a refund of sales load in excess of the limits permitted by Rule 6e-3(T)(b)(13)(v).

7. Applicants request exemptions from Section 27(e) of the Act and Rules 27e-1 and 6e-3(T)(b)(13)(vii) thereunder to the extent necessary to waive the requirements to provide notice to policy owners entitled to a refund of sales load in excess of the limits permitted by Rule 6e-3(T)(b)(13)(v).

8. The Policy limits the amount of the Deferred Sales Charge that may be deducted upon surrender, face amount reduction or lapse, by the excess sales load limits set forth in Rule 6e-3(T)(b)(13)(v). Thus, no excess sales load is ever paid by a Policy owner surrendering, effecting a face amount reduction, or lapsing in the first two Policy years.

9. Rule 27e-1 specifies in paragraph (e) that no notice need be mailed when there is otherwise no entitlement to receive any refund of sales load. Moreover, Rule 27e-1 and Rule 6e-2 were adopted in the context of front-end loaded products only and in the broader context of the companion requirements in Section 27 for the depositor or underwriter to maintain segregated funds as security to assure the refund of any excess sales load. In the context of the Policy's Deferred Sales Charge structure, where no excess sales load is ever paid or refunded, Form N-271-1 could at best confuse Policy owners, and could at worst encourage a Policy owner to surrender the Policy during

the first two Policy years when it may not be in the owner's best interest to do so. An owner of a Policy with a declining contingent deferred sales charge, unlike a front-end loaded policy, does not foreclose his or her opportunity, at the end of the first two Policy years, to receive a refund of monies spent. Not only has such an owner not paid any excess load, but also, because the deferred charge declines over the life of the Policy, he or she may never have to pay it. Encouraging a surrender during the first two Policy years could cost such an owner more in total sales load (relative to total premium) than he or she would otherwise pay if the Policy, which is designed as a long-term investment vehicle, were held for the period originally intended.

#### Applicants' Conclusion

For the reasons stated above, Applicants submit that the requested exemptions, in accordance with the standards of Section 6(c) of the Act, are consistent with the protection of investors and the purposes intended by the policy and provisions of the Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 95-20957 Filed 8-23-95; 8:45 am]

BILLING CODE 8010-01-M

#### SMALL BUSINESS ADMINISTRATION

##### [Declaration of Disaster Loan Area #2802]

##### Florida; Declaration of Disaster Loan Area

Pasco County and the contiguous Counties of Hernando, Hillsborough, Pinellas, Polk, and Sumter in the State of Florida constitute a disaster area as a result of damages caused by Hurricane Erin which occurred on August 2, 1995. Applications for loans for physical damages as a result of this disaster may be filed until the close of business on October 10, 1995, and for economic injury until the close of business on May 10 1996, at the address listed below:

U.S. Small Business Administration,  
Disaster Area 2 Office, One Baltimore  
Place, Suite 300, Atlanta, GA 30308  
or other locally announced locations.

The interest rates are:

##### For Physical Damage:

Homeowners with credit available  
elsewhere—8.000%

Homeowners without credit available  
elsewhere—4.000%

Businesses with credit available  
elsewhere—8.000%

Businesses and non-profit organizations  
without credit available elsewhere—  
4.000%

Others (including non-profit  
organizations) with credit available  
elsewhere—7.125%

##### For Economic Injury:

Businesses and small agricultural  
cooperatives without credit available  
elsewhere—4.000%

The number assigned to this disaster  
for physical damage is 280208 and for  
economic injury the number is 860400.

(Catalog of Federal Domestic Assistance  
Program Nos. 59002 and 59008).

Dated: August 10, 1995.

**Philip Lader,**

*Administrator.*

[FR Doc. 95-20988 Filed 8-23-95; 8:45 am]

BILLING CODE 8025-01-P

##### [Declaration of Disaster Loan Area #2803]

##### Florida; Declaration of Disaster Loan Area

As a result of the President's major  
disaster declaration on August 10, 1995,  
and an amendment thereto on August  
11, I find that Bay, Brevard, Escambia,  
Okaloosa, Santa Rosa, and Walton  
Counties in the State of Florida  
constitute a disaster area due to  
damages caused by Hurricane Erin  
which occurred on August 2-3, 1995.  
Applications for loans for physical  
damages may be filed until the close of  
business on October 8, 1995, and for  
loans for economic injury until the close  
of business on May 10, 1996 at the  
address listed below:

U.S. Small Business Administration,  
Disaster Area 2 Office, One Baltimore  
Place, Suite 300, Atlanta, GA 30308

or other locally announced locations. In  
addition, applications for economic  
injury loans from small businesses  
located in the following contiguous  
counties may be filed until the specified  
date at the above location: Calhoun,  
Gulf, Holmes, Indian River, Jackson,  
Orange, Osceola, Volusia, and  
Washington Counties in Florida, and  
Baldwin, Covington, Escambia, and  
Geneva Counties in Alabama.

Interest rates are:

##### For Physical Damage:

Homeowners with credit available  
elsewhere—8.000%

Homeowners without credit available  
elsewhere—4.000%

Businesses with credit available  
elsewhere—8.000%

Businesses and non-profit organizations without credit available elsewhere—4.000%

Others (including non-profit organizations) with credit available elsewhere—7.125%

*For Economic Injury:*

Businesses and small agricultural cooperatives without credit available elsewhere—4.000%

The number assigned to this disaster for physical damage is 280308. For economic injury the numbers are 860700 for Florida and 860800 for Alabama.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008).

Dated: August 17, 1995.

**Bernard Kulik,**

*Associate Administrator, for Disaster Assistance.*

[FR Doc. 95-20989 Filed 8-23-95; 8:45 am]

BILLING CODE 8025-01-P

## DEPARTMENT OF STATE

### [Public Notice 2242]

#### **Fine Arts Committee; Notice of Meeting**

The Fine Arts Committee of the Department of State will meet on Friday, October 6, 1995 at 2:30 p.m. in the John Quincy Adams State Drawing Room. The meeting will last until approximately 4:00 p.m. and is open to the public.

The agenda for the committee meeting will include a summary of the work of the Fine Arts Office since its last meeting in April 1995 and the announcement of gifts and loans of furnishings as well as financial contributions from January 1, 1995 to September 1, 1995. The Committee will elect a new chairman at this meeting.

Public access to the Department of State is strictly controlled. Members of the public wishing to take part in the meeting should telephone the Fine Arts Office by Friday, September 29, 1995, telephone (202) 647-1990 to make arrangements to enter the building. The public may take part in the discussion as long as time permits and at the discretion of the chairman.

Dated: August 11, 1995.

**Gail F. Serfaty,**

*Vice Chairman, Fine Arts Committee.*

[FR Doc. 95-21083 Filed 8-23-95; 8:45 am]

BILLING CODE 4710-38-M

## DEPARTMENT OF TRANSPORTATION

### **Coast Guard**

**[CGD 95-068]**

#### **Differential Global Positioning System; Youngstown, New York: Environmental Assessment and Finding of No Significant Impact**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of availability.

**SUMMARY:** The Coast Guard has prepared a Programmatic Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for its activating of a broadcast site of the Differential Global Positioning System (DGPS) service at Youngstown, New York. The EA concludes that there will be no significant impact on the environment and that preparation of an Environmental Impact Statement will not be necessary. This Notice announces the availability of the EA and FONSI and solicits comments on them.

**DATES:** Comments must be received on or before September 25, 1995.

**ADDRESSES:** Comments may be mailed to the Executive Secretary, Marine Safety Council, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

**FOR FURTHER INFORMATION CONTACT:** CWO Roger Hughes, United States Coast Guard Navigation Center, at (703) 313-5889. Copies of the EA and FONSI may be obtained by calling Mr. Hughes, or by faxing him at (703) 313-5920. Copies of the EA—without enclosures—are also available on the Electronic Bulletin Board System (BBS) at the Navigation Information Service (NIS) in Alexandria, Virginia, at (703) 313-5910. For information on the BBS, call the watchstander of NIS at (703) 313-5900.

#### **SUPPLEMENTARY INFORMATION**

##### **Request for Comments**

Copies of the EA and FONSI are available from the address given in **ADDRESSES** and from the numbers given in **FOR FURTHER INFORMATION CONTACT**. The Coast Guard encourages interested persons to submit comments on these documents. It may revise these documents in view of the comments. If it does, it will announce their availability in revised form by a later notice in the **Federal Register**.

##### **Background**

As required by Congress, the Coast Guard is preparing to install the

equipment necessary to implement DGPS service in the northeastern United States. DGPS uses a new radionavigation technique that improves upon the 100-meter accuracy of the existing Global Positioning System to provide an accuracy of 8 to 20 meters. For vessels, this degree of accuracy is critical for precise electronic navigation in harbors and their approaches: It will reduce the number of groundings, collisions, personal injuries, fatalities, and spills of hazardous cargo resulting from such incidents.

After extensive study, the Coast Guard has chosen a site at Youngstown, New York. Significant concerns had been raised about siting DGPS equipment at U.S. Coast Guard Group Buffalo; the fear was that birds from the wetland at Times Beach, nearby, might strike the tower and guy wires. DGPS will broadcast signals in the marine radiobeacon frequency band (283.5 to 325 KHz) using less than 35 watts' effective radiated power. Signals broadcast at these low frequencies and powers have not been found harmful to the surrounding environment.

##### **Proposed Installation at Youngstown, New York**

(a) Site—The site at Youngstown occupies about 5.7 acres at the Youngstown Army National Guard Training Facility in the town of Porter, New York.

(b) Radiobeacon Antenna—The Coast Guard will install a 90-foot guyed antenna with an accompanying ground plane. A ground plane for this antenna consists of approximately 120 copper radials, each of 6-gauge copper wire and each installed 6 inches (or less) beneath the soil and projecting from the antenna base. The optimal length for a radial is 300 feet, but this length may be shortened to fit within property boundaries. Wherever possible, a cable plow-method will be used in the radial installation to minimize soil disturbance.

(c) DGPS Antennas—Two 30-foot masts to support six small receiving antennas, each 4 inches by 18 inches in diameter, will be necessary. The masts will stand on concrete foundations. The antennas support the primary and backup reference receivers and the integrity monitors.

(d) Equipment shelter—Transmitting equipment will be housed in a shelter 10 feet by 16 feet. This will be built on a concrete pad, which itself will be built in a site now in its natural state.

(e) Utilities—The Coast Guard proposes to use available commercial power as the primary source for the electronic equipment. A telephone line